

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JOHN GARRETT

Plaintiff

V.

DR. SITTA B. GOMBEH-ALIE

**Defendant.**

Civil Action No. 04-863 GMS

**ORDER**

WHEREAS, on July 14, 2004, the plaintiff filed a Complaint against the above-captioned defendant, (D.I. 2);

WHEREAS, on January 26, 2005, a waiver of service of summons was executed as to the defendant, who on February 18, 2005, waived service of summons, (*see* D.I. 11);

**WHEREAS, the defendant's answer to the Complaint was due on March 28, 2005;**

WHEREAS, the court's docket reflects no answer or other responsive pleading filed by the defendant;

WHEREAS, the court granted defendant's motion for entry of default, (D.I. 16), and default was entered against the defendant on December 21, 2005, (D.I. 17);

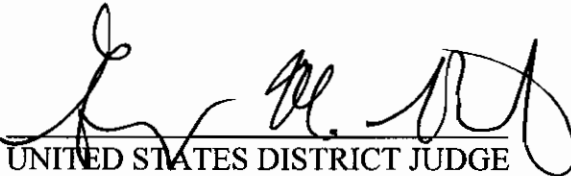
WHEREAS, the court has received by facsimile on December 7, 2007, the defendant's letter disputing valid service and requesting continuance of the December 11, 2007, default hearing, (D.I. 26);

IT IS HEREBY ORDERED that:

1. The hearing on default is continued and rescheduled for Thursday, January 10, 2008, at 9:30 a.m.; and

2. The defendant shall show cause on or before December 17, 2007, why the entry of default should be vacated.

December 10, 2007

  
UNITED STATES DISTRICT JUDGE

